

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: 06/23/06		2 Serial/Patent # 10/734,055										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
	Petition		11/07/05	\$ 130.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 130.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
Overpayment			Credit Deposit A/C #:									
Duplicate Payment			9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td style="width: 20px;">2</td> <td style="width: 20px;">3</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">3</td> </tr> </table>			2	3	--	0	5	0	3
2	3	--	0	5	0	3						
No Fee Due (Explanation):												
Fee not necessary												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: Karen Creasy		TITLE: Petitions Examiner										
SIGNATURE: <i>Karen Creasy</i>		PHONE: 2-3208										
OFFICE: Petitions												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <i>AKHAK</i>		DATE: 6/29/06										

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

Attorney Docket No.: 03-MM-03 85.80038/006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bateman et al.

Serial No.: 10/734,055

Filing Date: December 11, 2003

Title: ION DETECTOR

Examiner: Johnnie L. Smith II

Art Unit: 2881

Confirmation No.: 8996

Mail Stop 313(c)

Office of Petitions

PO Box 1450

Alexandria, VA 22313-1450

**Petition Under 37 CFR § 1.313(c) to Withdraw Application from Issue After Payment of the Issue Fee**

Dear Sir:

1. Applicants request withdrawal of the above-referenced application from issue for consideration of an IDS submitted on August 26, 2005 and received by the USPTO on August 29, 2005.
2. A Notice of Allowance was first mailed from the USPTO on February 14, 2005, and the Issue Fee Transmittal was returned and received by the USPTO on May 9, 2005.
3. Prior to issue, a Petition to Withdraw from Issue, an RCE, and a supplemental IDS were all mailed to the USPTO on May 25, 2005.
4. A second Notice of Allowance was mailed from the USPTO on August 9, 2005. The second Notice of Allowance credited the application for the issue fee received by the USPTO on May 9, 2005.
5. In response to receipt of an action from the German Patent Office in a German counterpart application, Applicants submitted the IDS of August 26, 2005 under 37 CFR § 1.97(d). At that time, Applicants did not submit a Petition to Withdraw from Issue.
6. Withdrawal of the application from issue is necessary for consideration of the RCE, submitted herewith, and the IDS submitted on August 26, 2005.
7. The Commissioner is authorized to charge the Petition fee of \$130, as set forth in 1.17(h), to Deposit Account No. 23-0503.

Adjustment date: 06/29/2006 CKHLOK  
11/09/2005 DTESSEM1 00000100 230503 10734055  
02 FC:1464 130.00 CR

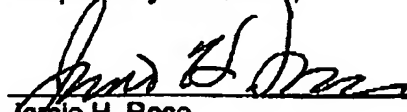
Application Ser. No.: 10/734,065  
Petition to Withdraw Application from Issue  
Page 2 of 2

8. The Request for Continued Examination (RCE) is enclosed herewith under 37 C.F.R. § 1.313(c)(2).

Reg. No. 45,054  
Customer No. 43840  
Tel. (508) 482-2714

November 7, 2005

Respectfully submitted,

  
Jamie H. Rose  
Attorney for Applicant(s)

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0851-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**  
(Fees are subject to annual revision)Send completed form to Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Art Unit	2881
Examiner Name	Johnnie L. Smith II
Attorney/Agent Number	03-M-03 85 80038/006

Enclosed is a petition filed under 37 CFR 1.313(c) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.  
This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 23-0503:  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.
- ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.61(a) - to accord a filing date.
- § 1.67(a) - to accord a filing date.
- § 1.183 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

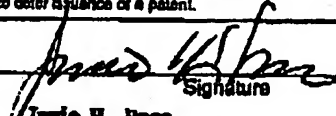
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.138(b) - for review of a request for extension of time when the provisions of section 1.138(a) are not available.
- § 1.268 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.650(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.656 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.13 - for expedited handling of a foreign filing license.
- § 5.16 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(a) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.81 - for entry of a model or exhibit.
- § 1.102(a) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to deter issuance of a patent.

  
 \_\_\_\_\_  
 Jamie H. Ross  
 Typed or printed name

November 7, 2005  
 \_\_\_\_\_  
 Date  
 45,054  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

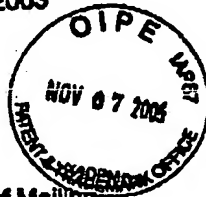
EV730188771US

Docket No. 03-MM-03 85.80038/006

Serial No. 10/734,055 Filed: December 11, 2003

Inventor(s): Robert Harold Bateman

Title: Mass Spectrometer



- ✓ Transmittal - RCE/SB21 (1 sheet) /Certificate of Mailing
- ✓ Petition fee form PTO/SB/17p (1 sheet)
- ✓ Request for Continued Examination (RCE) (1 sheet)
- ✓ Prepaid Return Postcard
- ✓ PETITION (UNDER 37 CFR § 1.313(e))

ORIGIN (POSTAL SERVICE USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code 01757	Day of Delivery Mon <input checked="" type="checkbox"/> Tue <input type="checkbox"/> Wed <input type="checkbox"/> Thu <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun <input type="checkbox"/>	Postage \$ 13.65	Delivery Attempt Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Date Accepted 11/2/05	Scheduled Date of Delivery Month 11 Day 8	Return Receipt Fee \$	Delivery Attempt Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Mo. Day Year 11 2 05	Scheduled Time of Delivery Mon <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM <input type="checkbox"/> Military <input type="checkbox"/>	COO Fee \$	Delivery Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Time Accepted 1:37 PM	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$	Mo. Day Year 11 2 05
Flat Rate <input type="checkbox"/> or Velocity	2nd Day Air Country Code	Total Postage & Fees \$ 13.65	Signature NOV 7 2005
Box 3	Acceptance Mark Initials	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Signature
METHOD OF PAYMENT X020629		Waiver of Signature (Postage and Date of Delivery must be guaranteed by signature of addressee or addressee's agent or delivery employee (signature must be in secure packet) and I authorize the delivery employee's signature as the valid proof of delivery.)	
FROM: (PLEASE PRINT) WATERS CORPORATION 37 MAPLE ST MAIL STOP LG MILFORD MA 01757-0340		TO: (PLEASE PRINT) MAIL STOP RCE COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22304-1450	
LMS-1316		703.222.4557	
FOR PICKUP OR TRACKING: visit <a href="http://www.usps.com">www.usps.com</a> or Call 1-800-222-1811			

**UNITED STATES PATENT & TRADEMARK OFFICE**

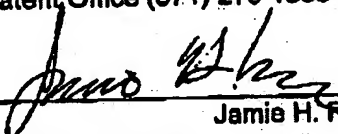
Docket No. 03-MM-03 85.80038/006  
Application No. 10/734,055  
Filing Date: December 11, 2003  
Title: Mass Spectrometer  
Inventor(s): Bateman, et al

Attention: Paula Britain  
USPTO

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**Certificate of Facsimile Transmission**

I hereby certify that this correspondence is being facsimile transmitted to  
United States Patent Office (571) 273-1556 on June 9, 2006.



Jamie H. Rose

Registration No. 45,054  
Tel. No. (508) 482-3869  
Customer No. 43840

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Note: This certificate identifies below each submitted paper.

X Complete copy of November 7, 2005 submission, as requested  
during our telephone conversation of June 9, 2006.

(total number of sheets including facsimile cover sheet is 7)

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
**(37 CFR § 1.10) No. EV 730188771 US**

**Docket No. 03-MM-03 85.80038/006**

**APPLICANT: Bateman, et al.**

**SERIAL NO.: 10/734,055**  
**Filing Date: December 11, 2003**  
**TITLE: ION DETECTOR**

**Examiner: Johnnie L. Smith II**  
**Art Unit: 2881**  
**Confirmation No.: 8998**

**Mail Stop RCE**  
**Office of Petitions**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

I hereby certify that the correspondence identified in the transmittal below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 7, 2005

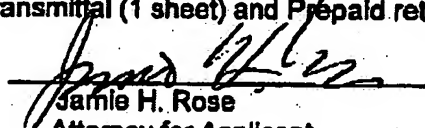
  
Jamie H. Rose

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**TRANSMITTAL LETTER**

Enclosed for filing in the above identified patent case are the following documents:

Certificate of Mailing / Transmittal Letter (1 sheet), Petition Under 37 CFR §1.313(c) (1 sheet); Petition Fee form PTO/SB17p (1 sheet), Request for Continued Examination (RCE) Transmittal (1 sheet) and Prepaid return postcard.

November 7, 2005  
Customer No. 43840

  
Jamie H. Rose  
Attorney for Applicant  
Reg. No. 45,054